

1 ENVIRONMENTAL PROTECTION AGENCY

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7 PUBLIC HEARING

8 HAZARDOUS WASTE INJECTION WELL PERMITS RENEWAL

9 ENVIRONMENTAL DISPOSAL SYSTEMS

10 HAZARDOUS WASTE INJECTION WELL

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12 PAGE 1 TO 90

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16 Held at 8000 Merriman Road

17 Romulus, Michigan

18 Commencing at 7:12 p.m.

19 Tuesday, June 29, 2004

20 Reported by Susan M. Patterson, CSR 4622

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1 SPEAKERS:

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3 EPA:

4

5 DAVE NOVAK, Moderator/Facilitator

6 CHARLES T. ELLY, Hearing Officer

7 DANA RZEZNIK, Permits Writer

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9

10 ELECTED AND APPOINTED OFFICIALS:

11

12 U.S. REPRESENTATIVE JOHN DINGELL

13 DEANNA MAHER, on behalf of U.S. Representative

14 John Conyers

15 STATE SENATOR RAYMOND BASHAM

16 STATE REPRESENTATIVE HOON-YUNG HOPGOOD

17 STATE REPRESENTATIVE KATHLEEN LAW

18 LARRY ARREGUIN, on behalf of Governor Jennifer

19 Granholm

20 BARBARA McCALLAHAN, on behalf of U.S. Senator

21 Debbie Stabenow

22 MAYOR ALAN LAMBERT, City of Romulus

23 MAYOR GREG PITONIAK, City of Taylor

24 COUNCILWOMAN DEBBIE ROMAK, City of Romulus

25 COUNCILMAN CHUCK MILLER, City of Romulus

1 SPEAKERS (Continued):

2

3 ELECTED AND APPOINTED OFFICIALS (Continued):

4

5 JASON MACIEJEWSKI, on behalf of Wayne County

6 County Executive

7 MIKE REID, Dearborn Heights Democrats

8

9

10 GENERAL PUBLIC:

11

12 ALFRED BROCK

13 STEWART VINING

14 BRAD VAN GUILDER

15 ENID BROWN

16 NICK RABCHENIA

17 GEORGE WRATHELL

18 JACK SMILEY

19 JANE MACKEY

20 GENE ROBERTS, Waste Salvage Systems, Incorporated

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1 Romulus, Michigan

2 Tuesday, June 29, 2004

3 About 7:12 p.m.

4 MR. NOVAK: All right, if we
5 could have everybody take their seats, please.

6 Good evening, everybody, and
7 welcome. I'm Dave Novak, EPA Region 5, community
8 involvement coordinator and the
9 moderator/facilitator for this evening's
10 proceedings.

11 And before I turn the microphone
12 over to the hearing officer I'd like to go over a
13 few procedural items, housekeeping chores, if you
14 will.

15 The entire session this evening
16 is being recorded for record purposes, and the
17 purpose of tonight's meeting is to receive both
18 oral and written comments relevant to the renewal
19 of the operating permits for the Environmental
20 Disposal Systems hazardous waste injection wells
21 in Romulus, Michigan. And as we have done in the
22 past, we'll be following certain procedures in an
23 effort to promote an equitable and orderly flow of
24 information between us.

25 We ask that all in attendance

1 sign the attendance rosters if you haven't already
2 done so at the rear of the room, at the tables
3 just outside the meeting hall. And we also ask
4 that those wanting to make oral comments tonight
5 sign up in the rear of the room on the sheets
6 indicated.

7 We'll also be accepting written
8 comments throughout this evening and throughout
9 the remainder of the comment period which ends
10 Monday, July 12th at midnight.

11 If you signed up you received a
12 small number. That's the order in which you will
13 speak. We have two orders of speaking: elected
14 and appointed officials followed by the general
15 public.

16 And we've been notified that
17 some of the elected and public officials will be
18 arriving late, so if we are into the general
19 public, we will be breaking to take the officials
20 to speak at that time.

21 You have the opportunity to give
22 up your number, to give it to somebody else and
23 give them your three minutes.

24 And why are we doing three
25 minutes? Three minutes seems to be a good time to

1 get your thought across initially and that's to
2 keep the program moving.

3 At the end of the evening, if we
4 have time left over, you'll be afforded the
5 opportunity to speak again.

6 I will be keeping the time of
7 the speakers and I'll be sitting down while you're
8 speaking, and when I stand up you've reached the
9 two-and-a-half-minute mark, and at three I'll just
10 give you a very quick verbal, your time is up.
11 Again, it's just for flow purposes to keep the
12 meeting moving.

13 So please do sign up if you
14 haven't already done so. Get on the mailing list.

15 As one gentleman asked earlier,
16 what happens to that list. That list is protected
17 by the Freedom of Information Act. We don't share
18 it with anybody. We don't get people come and try
19 to sell you roofing or anything else. So it's
20 strictly for our record purposes. We will share
21 it, say, with the State agencies and things like
22 that, but we will not share it with any general
23 public.

24 The ground rules, I'll be
25 keeping track of the time and the order of

1 commentators, call them in turn, both official and
2 then general public. Again, officials will be
3 speaking first; time indicators for three minutes
4 given; additional time afforded at the end of the
5 meeting if we have time.

6 And we ask that when you do make
7 your comments you come to the front of the room.
8 There's a microphone in the center aisle. When
9 you arrive please state your name, spell your
10 name, and then you can begin speaking.

11 We're accepting, again, written
12 comments throughout the evening. After you finish
13 your oral comment, if you have more, you can give
14 us the written comments. We'll accept those also.

15 Now I'm going to turn the
16 hearing over to the hearing officer, Charles Elly.

17 MR. ELLY: Thank you, David.

18 Good evening, everyone. I'm
19 Charles T. Elly, tonight's hearing officer,
20 representing the US Environmental Protection
21 Agency, EPA in short, in the matter of the renewal
22 of two operating permits for Class 1 commercial
23 hazardous waste injection by the Environmental
24 Disposal Systems Company, Incorporated, also known
25 as EDS. The injection facility is located at

1 28470 Citrin Drive. That's right here in Romulus,
2 Michigan.

3 Joining me in the hearing is
4 Dana Rzeknik, to my left here, an engineer with
5 EPA and an author of the draft underground
6 injection control permits for EDS; Jo-Lynn Traub,
7 director of the water division, US EPA Region 5;
8 Lisa Perenchio, section chief of the EPA Region 5
9 underground injection control branch. And several
10 other EPA staffers are in attendance today.

11 We are here today to receive
12 your comments regarding these permits that the EPA
13 has proposed to issue to EDS for two commercial
14 hazardous waste injection wells at this Romulus
15 facility.

16 The permits, which are the
17 subject of tonight's hearing, are being issued
18 according to the federal underground injection
19 control program for the State of Michigan which
20 are found in the Code of Federal Regulations,
21 Title 40, Section 147.1151.

22 This section was published
23 according to Part C of the Safe Drinking Water
24 Act. It incorporates the underground injection
25 control program requirements of Parts 124, 144,

1 and 146 of the Code of Federal Regulations. The
2 effective date of this program in Michigan was
3 June 25th, 1984.

4 The underground injection
5 control, or UIC, program, as it's designed -- the
6 underground injection control, or UIC, program is
7 designed to protect underground sources of
8 drinking water by permitting only those injection
9 wells which meet certain technical requirements.
10 The program is also designed to ensure public
11 participation in the permitting process.

12 The public is invited to comment
13 on every proposed permit decision. EPA holds
14 public hearings, such as this one tonight, for
15 those draft permit decisions that generate
16 significant public interest or comment.

17 The proposed permits which are
18 the subject of tonight's hearing are for Class 1
19 commercial hazardous waste injection wells. Dana
20 Rzeznik, to my left, will be describing the wells
21 and the safeguards provided to protect the
22 environment.

23 An announcement of this public
24 hearing was made in the Detroit Free Press, the
25 Romulus Roman, the Wayne County News Herald, and

1 was mailed to those who are on our mailing list
2 and have showed an interest in the facility and
3 the process.

4 I'd like to give you a bit of
5 information about the nature of a public hearing.
6 Hearings provide both officials and the general
7 public with opportunities to make their views
8 known on intended regulatory action.

9 Although oral presentations are
10 recorded word for word by a court reporter, there
11 is no sworn testimony or cross examination. This
12 is your opportunity to officially tell us whether
13 you feel the terms of the permits are consistent
14 with EPA's UIC program requirements and whether
15 the facts, as EPA has determined them, are
16 accurate.

17 EPA will consider all comments
18 in making a decision to issue or deny these
19 permits for EDS. You may appeal the final permit
20 decision only if you submit written comments on
21 the draft permit during the public comment period.
22 That ends July 12th, or if you make an oral
23 statement at this hearing tonight.

24 Procedures for making oral
25 comments were outlined earlier and are also found

1 on this evening's agenda sheet.

2 Even if you do not make a
3 comment, please sign the registration sheet in the
4 rear if you desire to receive a copy of the final
5 permit decision. Copies of tonight's hearing
6 transcript as well as all written comments
7 received during this hearing will be maintained at
8 the EPA Region 5 office in Chicago and will become
9 a part of the administrative record.

10 The public comment period
11 continues through midnight, Monday, July 12th,
12 2004, so that if you have written comments, upon
13 conclusion of tonight's hearing you may either
14 give one of the EPA's staff your written comments
15 tonight or mail them to the address indicated on
16 the fact sheet provided in the rear.

17 Mrs. Rzeznik now will read her
18 statement into the record, and then we will move
19 to oral comments shortly thereafter.

20 MS. RZEZNIK: Hello, I'm Dana
21 Rzeznik. I'm an engineer with the underground
22 injection control program of the US Environmental
23 Protection Agency. I'm also the permit writer for
24 the Environmental Disposal Systems deep well
25 permits.

1 As you might have noticed by
2 now, I do speak with an accent, and I might
3 mispronounce a couple of words here and there.
4 Therefore, for your convenience, my statement, I
5 have copies of my statement are available at the
6 back of the room if you would like to follow.
7 Also, you may request a transcript with word for
8 word recording of these proceedings.

9 As Mr. Elly stated, the purpose
10 of the hearing is to take comments on the proposed
11 Agency decision to issue EDS permits to operate
12 two injection wells on Citrin Drive in Romulus.

13 I'm going to briefly review the
14 main technical points of the proposed permit
15 decision. After that we will open the hearing for
16 comments.

17 The first point I am going to
18 talk about is the geology of the proposed site.
19 The injection zone at this site consists of the
20 rocks at depths between 3369 feet and 4450 feet.
21 This is injection zone. The names of these
22 formations are the Mount Simon, Eau Claire,
23 Franconia-Dresbach, Trempealeau, Glenwood, and
24 lower Black River formations. The injection zone
25 formations are composed of sandstones with

1 moderate porosity and permeability.

2 The confining zone, which you
3 can see right here, consists of the upper Black
4 River, Trenton, and Utica formations at depths
5 between 2364 feet and 3369 feet. The confining
6 zone is composed of shale, limestone and dolomite.

7 Samples taken from the wells
8 during the construction have shown those
9 formations to be dense with very low porosity --
10 sorry.

11 (Pause.)

12 MS. RZEZNIK: So they have low
13 porosity and low permeability.

14 The top of the -- now it works.
15 The top of the confining zone is the Utica shale.
16 Shale is a very fine-grained, very low
17 permeability rock which makes an excellent
18 confining zone. There are diagrams of the well
19 construction and site geology on the wall in the
20 back of the room.

21 The lowermost underground source
22 of drinking water in this area is Dundee formation
23 at a depth of 136 feet. This leaves approximately
24 2200 feet of rock between the base of the
25 lowermost source of underground drinking water and

1 the top of the confining zone, or 3200 feet to the
2 top of the injection zone.

3 The EPA definition of drinking
4 water source is more conservative than what is
5 commonly used. EPA defines an underground source
6 of drinking water as any formation which has water
7 with total dissolved solids less than 10,000 parts
8 per million.

9 For comparison, the national
10 drinking water standard is 500 parts per million.
11 Over 500 parts per million is pretty much
12 undrinkable. Water of 10,000 parts per million
13 total dissolved solids is not usable for human or
14 livestock consumption or for irrigation purposes
15 without treatment. However, EPA protects to this
16 level as an additional safeguard.

17 Many tests were performed during
18 the construction of the wells to ensure safe
19 placement of the wells. These tests included
20 pressure and fluid measurements from all confining
21 and injection formations, geophysical logs of the
22 entire rock column to measure porosity, density,
23 lithology, and other properties of the formations;
24 cement evaluation, temperature and casing
25 inspection logs to test the adequacy of the well

1 construction; a fracture finding log to determine
2 if any fractures exist in the injection or
3 confining zones; and several cores of the
4 confining and injection formations for lab testing
5 of permeability and waste stream compatibility.

6 The next point to discuss is the
7 mechanical integrity of the wells. As the wells
8 were constructed EDS was required to run cement
9 evaluation tests to demonstrate that the cement is
10 properly in place and that channels are not
11 present in the cement column. They also ran
12 temperature logs to determine cement curing times.

13 Upon completion of the wells,
14 EDS ran tracer tests and temperature logs while
15 injecting fresh water in order to demonstrate that
16 injection operations will not cause fluid to
17 migrate upward along the outside of the casing.
18 The final test was a pressure test in which they
19 applied a pressure to the space between the
20 injection tubing and the innermost casing. The
21 well must hold this pressure in order to pass this
22 test.

23 If the well passes these tests
24 and authorization to inject is given, the well is
25 continuously monitored to ensure that it maintains

1 integrity. Automatic warning and shutoff devices
2 are installed on the wells and will be tested
3 annually.

4 The next point to discuss is the
5 proposed operating parameters. The maximum
6 injection rate allowed at any instant is 270
7 gallons per minute total for both wells, but the
8 long-term average injection rate for the two wells
9 is limited to 166 gallons per minute. The
10 injection pressure limit is 765 pounds per square
11 inch gauge. This number is based on data
12 collected during the construction of the wells.

13 EDS is also required to maintain
14 a pressure in the space between the injection
15 tubing and the innermost casing. This pressure
16 must be at least 100 pounds per square inch
17 greater than the injection pressure at all times,
18 except when the well is shut down for maintenance
19 or testing.

20 The next point is the nature of
21 the injectate. The proposed permits allow the
22 commercial disposal of hazardous and nonhazardous
23 waste. For each proposed waste stream EDS is
24 required to submit sampling data regarding the
25 source to the EPA for approval. Disposal of the

1 waste stream will only be allowed after the data
2 has been reviewed and approved by the EPA.
3 Monthly and quarterly sampling of each source are
4 required as well. EDS will not be allowed to
5 dispose of any ignitable or reactive waste in the
6 wells.

7 The next point is the area of
8 review, or AOR. According to the federal
9 regulations, the AOR of Class 1 hazardous waste
10 wells is the larger of a two-mile radius around
11 the well bore or an area based on the calculated
12 zone of endangering influence of the well. Based
13 on this calculation, the AOR for the EDS wells is
14 a 6.1 mile area from the center of the line
15 connecting the two wells.

16 Within this area there were two
17 wells found which were deep enough to reach the
18 confining zone. One of these wells is the first
19 EDS well on Wahrman Road. This well is partially
20 plugged. The other is a plugged and abandoned
21 well owned by McClure Oil Company. The plugging
22 of this well has been reviewed and found
23 satisfactory.

24 The presence of a well could be
25 a cause for concern if it provided a conduit for

1 fluids to move out of the injection zone. If a
2 new well is discovered within the area of review
3 which does extend to the top of the confining
4 zone, EDS is required to demonstrate that the well
5 will not serve as a conduit of fluids, or they
6 must take action to ensure that it will not.

7 EDS will be required to maintain
8 financial assurance documents in the amount of
9 \$55,300 so that if the EPA requires that the wells
10 be plugged, resources exist to ensure that they
11 are plugged.

12 EDS is required to submit annual
13 plugging estimates and to update the letter of
14 credit if necessary to ensure that there are
15 always adequate funds to close and plug the well.
16 Additional financial requirements will be imposed
17 on EDS by the Michigan Department of Environmental
18 Quality during the operating license review
19 process.

20 The important point is that,
21 based on the available information, EDS has
22 fulfilled the regulatory requirements for issuance
23 of federal UIC permits. The injection cannot
24 begin, however, until EPA issues final permit
25 decision after considering your comments and EDS

1 receives an authorization to inject letter from
2 the EPA.

3 Thank you.

4 Now I will turn the meeting back
5 to Mr. Novak.

6 MR. ELLY: Okay, thank you.

7 MS. RZEZNIK: Mr. Novak?

8 MR. NOVAK: All right, we'll
9 begin taking the comments, and this evening we're
10 going to begin the comments with Representative
11 John Dingell.

12 REPRESENTATIVE DINGELL: Thank
13 you.

14 Good evening. For the record,
15 my name is John Dingell. I'm a representative in
16 Congress from the 15th District which is the
17 district in which the areas under discussion,
18 including Romulus, Taylor, and all the Downriver
19 communities, happens to lie.

20 I would first like to thank my
21 friends and constituents for being here, and I
22 thank EPA for holding this hearing.

23 This is a time in which the
24 people of Romulus and Taylor and surrounding areas
25 can come forward and tell EPA again that they

1 don't want this potentially dangerous hazardous
2 waste well.

3 This is not a new process. It
4 began several years ago, and over the course of
5 that time a number of matters have changed. In
6 fact, we have a different president and a new
7 governor.

8 One thing that hasn't changed,
9 however, is the public outrage at the prospect of
10 turning Taylor and Romulus into a national and
11 international dumping ground, particularly since
12 there is neither need for this nor is the safety
13 fully established with regard to these activities
14 in the minds of the people who reside here about.

15 The people who are going to be
16 most affected by this dangerous proposal have been
17 consistent in their opposition. And I would
18 challenge anybody to find people in these
19 communities who happen to favor the permitting of
20 these wells.

21 Unfortunately, the people have
22 been disregarded by the very agencies -- and I say
23 that in the plural -- who are interested in
24 protecting the environment of this state and of
25 these people.

1 Not only are the people opposed,
2 but nearly every community group in the area
3 opposes it as well. This includes the Southern
4 Wayne County Chamber of Commerce, the Downriver
5 Board of Realtors, the Downriver Community
6 Conference, as well as all of the elected
7 officials and appointed officials from all levels
8 of government in this area.

9 The merits of the proposal are
10 questionable and the process flawed.

11 I would note that there are
12 questions about the issuing of the permit in
13 Washington because I would note to you that there
14 are real questions with regard to disregard of
15 case rule, something which will be raised if this
16 permit goes forward on appeal by persons otherwise
17 affected.

18 Indeed, I should note to you
19 that the March, 2000 MDEQ site review board voted
20 5 to 3 to recommend that the then director Russ
21 Harding deny EDS its Part 111 permit. A year
22 later Mr. Harding disregarded the recommendation
23 of his own site review board and issued the permit
24 anyway.

25 Had DEQ done what was

1 recommended in the beginning, this process might
2 not have moved forward. We might not have been
3 here tonight, and there might not have been
4 wastage of huge amounts of public resources to
5 inflict upon the citizens of this area something
6 which they simply do not want.

7 The most important issue here
8 today is public safety. I am not convinced, nor
9 are the citizens of Romulus and Taylor, that the
10 public safety is adequately protected.

11 According to EPA and EDS, the
12 hazardous waste site will be injected in a
13 reservoir that lies beneath porous rock, that is,
14 rock -- and I quote now -- that contains lots of
15 tiny holes.

16 Additionally, EDS has stated
17 that the waste will probably travel sidewise. I
18 would note that it will probably travel sidewise
19 to other permit seekers who would be carrying out
20 activities fairly approved by the citizens of this
21 area and which would confer an economic benefit on
22 this area instead of an economic disadvantage to
23 all of the people, something which they violently
24 oppose.

25 Additional -- in fact, EPA's own

1 documents suggest that the chemicals may move --
2 and I'm quoting now -- as much as ten miles
3 sidewise. This statement leaves open the
4 possibility that hazardous materials will travel
5 almost anywhere, including into the drinking water
6 supply.

7 I would also add that the
8 regulations pertaining to hazardous waste
9 injection require at least one major permeable
10 bleed-off zone between the injection zone and the
11 base of the drinking water supply.

12 Now, a bleed-off zone I would
13 note serves to release the pressure of injection
14 by allowing some of the materials to, quote, bleed
15 off, close quote.

16 In the case of the EDS wells
17 there are two bleed-off zones. One is just below
18 the drinking water supply and, to me and the
19 people here about, that sounds like a very
20 dangerous proposition.

21 Furthermore, it's critical that
22 we act with extreme caution given the well's
23 proximity to the Great Lakes watershed. Leakage
24 of even a small amount of this hazardous liquid
25 waste could place the entire ecosystem in this

1 area at great risk.

2 I would note that Congress in
3 the Hazardous and Solid Waste Amendments of 1984
4 declared that land disposal of hazardous waste is
5 the least preferred method of hazardous waste
6 disposal, something which I think that EPA should
7 carefully consider when moving forward in the
8 permitting process. Perhaps it is time that
9 Congress should legislatively jog the memory of
10 EPA.

11 In short, the approval process
12 has raised serious questions about the integrity
13 of the process and the facility itself, as well as
14 questions about public safety, which our people
15 find very troublesome. Significantly, questions
16 involving environmental discussions and
17 repercussions have yet to be answered.

18 Accordingly, I must remain
19 adamantly opposed to this reckless and quite
20 probably harmful proposal that has been forced on
21 the Romulus/Taylor community in spite of strong
22 public opposition and the sound recommendation of
23 MDEQ site review board.

24 I would urge strongly EPA that
25 it do what is right for Michigan and to deny the

1 renewal of the underground injection permit.

2 I would also state to those who
3 seek this permit that if they would consult with
4 the people of this area, the people would say what
5 part of "no" do you not understand?

6 Thank you.

7 (Applause.)

8 MR. NOVAK: Our next speaker is
9 Deanna Maher for Congressman Conyers.

10 If you would take the microphone
11 in the middle, ma'am.

12 MS. MAHER: That one?

13 MR. NOVAK: Yes, please. It
14 will be just easier for you.

15 MS. MAHER: I'll feel more
16 comfortable. Thank you.

17 MR. NOVAK: Oh, okay.

18 MS. MAHER: My name is Deanna
19 Maher. I'm chief staff of the Downriver offices
20 for Congressman John Conyers.

21 I have to spell my name.

22 D-e-a-n-n-a, Maher, M-a-h-e-r.

23 I'm here to speak officially for
24 Congressman Conyers who is not able to be here
25 because we did not receive a notice about this

1 meeting as would have been -- Congressman would
2 have been able to adjust his schedule to it. He
3 did not know about it until yesterday morning when
4 I told him when I saw it in the Detroit Free
5 Press.

6 And I told him about it. He
7 already had a commitment. He tried to get here.
8 He did appear I believe it was spring of 2003.
9 That was before he was officially elected to
10 represent the constituents in the Downriver area.

11 He wishes for me to speak on
12 behalf of two huge groups of constituents.
13 Romulus and Taylor is not part of the 14th
14 Congressional District. However, the trucks
15 carrying hazardous toxic waste will be coming
16 directly through, along I-75 directly through the
17 14th Congressional District.

18 Everyone in the entire Downriver
19 area, every community is totally against this
20 injection well, and not just for environmental
21 concerns, which are very significant as the
22 honorable Congressman Dingell has just outlined.

23 Yes, the environmental issues
24 will spill out to the 14th Congressional District
25 below the land surface. However, the one

1 important issue that hasn't been mentioned and
2 which Congressman Conyers is working on is
3 national security or, how about this, homeland
4 security.

5 When you're taking these trucks
6 through this area to one of the busiest
7 intersections in metropolitan Detroit area, which
8 is around the Metro Airport, and we are risking a
9 spill that could possibly cause tremendous,
10 tremendous risk to the community, this is a very
11 significant concern to the Congressman.

12 Congressman Conyers is the
13 ranking member on the judiciary committee. He is
14 bringing these homeland security issues up,
15 including the Riverview Trenton Railroad. This is
16 as important as that one, and maybe even more so
17 because it's going to be affecting a lot of the
18 communities.

19 Another important issue to the
20 Congressman Conyers, another group of his
21 constituents in Detroit are the Detroit Police and
22 Firemen Pension Fund members. They are the ones
23 that have been carrying the burden of financing
24 EDS's project. EDS has not carried the burden,
25 the financial burden. The police, firemen and

1 pension fund should not -- should never have been
2 the ones to be pulled into this investment. They
3 made the investment, not EDS.

4 So for both of those reasons --
5 and I'm sure you can go back into the history --
6 this is extremely, extremely important.

7 And I note, well, in the copy of
8 the order by the Honorable Judge William Collette
9 of Ingham County Circuit Court, the 30th Circuit
10 Court, he mentions as part of his ruling of the
11 unfair burden that EDS has had to bear, and that
12 was part of his reasoning, the judge's reasoning
13 for ruling on behalf of EDS, is the \$38 million
14 that has been invested by EDS. And I say to you,
15 sir, and to the EPA, it was borne totally by the
16 Detroit policemen and fire pension fund. And that
17 should be taken in consideration.

18 So we've got environmental
19 issues that are extremely important to this
20 community. And we do not want to have a
21 government that says, "Oops, pardon me, we made a
22 mistake a few years back."

23 This is a critical nature. We
24 are dealing with a war on terrorism. We do not
25 want to give a blank check, a blank ride for

1 terrorists to -- and we do know that they have
2 come in with -- smuggled in. We do not want to
3 risk our community. We have a big enough burden
4 with homeland security along with border patrol.

5 And the different communities
6 that are located along the Detroit river, they are
7 all suffering from the lack of funding for
8 homeland security and the extreme need for
9 homeland security. So they're really getting the
10 double whammy.

11 And we as a government need to
12 do what government does best, and that's to
13 protect our communities. And I know this is
14 exactly what the Congressman would say if he were
15 here today.

16 We did not have time, because we
17 did not have enough notice, to have an official
18 written statement. But I assure you we can make
19 that official written statement as soon as
20 possible.

21 Thank you.

22 (Applause.)

23 MR. NOVAK: Senator Raymond
24 Basham.

25 SENATOR BASHAM: Good evening.

1 I certainly hope you pay
2 attention to this other than this just being a
3 step in a permitting process. Certainly the
4 public should be adhered to, paid attention to,
5 and I certainly hope that, in this effort, that
6 you don't -- or haven't already made up your mind
7 prior to hearing the public's input.

8 We'll talk about EPA's role in
9 this long, eleven-year process.

10 And, for the record, I am State
11 Senator Ray Basham, B-a-s-h-a-m. I represent the
12 8th Senate District, which also includes Romulus.

13 And I stand before you tonight
14 to reiterate my staunch opposition to this
15 proposed EDS commercial hazardous waste flow in
16 Romulus. And also I remain committed to doing
17 everything that I can to assure that these wells
18 are never operated.

19 It's my strong preference that
20 Michigan refrains from engaging in this type of
21 disposal and instead looks to waste reduction and
22 recycling to manage our hazardous waste disposal
23 needs.

24 Frankly, I find it amazing in
25 this day and age, when we have the technology to

1 completely eliminate hazardous waste from the
2 environment, that the US EPA would ever approve
3 such an archaic proposal in which hazardous wastes
4 are simply pumped and left underground, out of
5 sight and out of mind, perhaps, but not without
6 great risk.

7 Commercial hazardous waste
8 wells, such as the proposed EDS wells, pose many
9 unique risks to our environment, the public
10 health, and general welfare that are not simply
11 worth taking. The fact that there have been
12 serious problems with every commercial hazardous
13 waste well that has ever operated in our country
14 should serve as clear evidence to that.

15 The EDS wells are not needed and
16 will serve no public good. They will, however,
17 provide an easy means of dumping Canadian liquid
18 hazardous waste and will most certainly result in
19 a negative impact on the quality of life of the
20 people of Romulus and throughout this region.

21 And, finally, I'd like to submit
22 the following technical questions for
23 consideration and response prior to any permit
24 decision being made:

25 According to the EPA

1 regulations, an operator of a hazardous waste
2 injection well is required to submit a groundwater
3 monitoring plan. This plan should include a
4 monitoring well that is completed in the first
5 porous, permeable interval that lies above the
6 maximum vertical migration, in other words, a
7 monitoring well that reaches the Mount Simon
8 formation. That's one question I have for the
9 EPA.

10 The second one: Has a
11 groundwater monitoring plan been submitted by EDS
12 and does it include the use of any such monitoring
13 wells on the site? If not, I would demand that it
14 does.

15 And when EDS drilled its wells
16 were there any problems with the circulating
17 cement behind the long-string casings or any other
18 casings? And, if so, what were they specifically
19 and have they been fully addressed?

20 And what were EPA's results of
21 the review of the geological logs run by EDS?

22 And has the EPA sought
23 independent review of these geophysical logs by an
24 outside qualified contractor or expert before
25 proposing to approve EDS's permits? And, if not,

1 why not?

2 And what were the results of the
3 EPA's review of EDS's quality assurance plan with
4 respect to the methods used for sample collection
5 and analysis during the drilling of the wells?

6 And if this goes through this
7 will affect businesses that want to use the Mount
8 Simon formation for the next 10,000 years.

9 Thank you for allowing me to
10 testify.

11 (Applause.)

12 MR. NOVAK: State representative
13 Hoon-Yung Hopgood. If you could again say your
14 name and spell it, please.

15 REPRESENTATIVE HOPGOOD: Good
16 evening. Hoon-Yung Hopgood, State Representative.
17 My name is H-o-o-n hyphen Y-u-n-g. Last name
18 H-o-p-g-o-o-d.

19 I represent the communities of
20 Romulus and Taylor and the Michigan House of
21 Representatives, and I appreciate you being here
22 with us this evening.

23 I'm going to be submitting
24 written testimony, so I'm going to keep this brief
25 right here, but I had to come here and show my

1 support to all the good people who are here in
2 this room who are opposed to this, all the
3 communities and the businesses and the -- we have
4 members of Congress here.

5 I mean it's amazing, really, how
6 united the public is in this effort. We don't
7 hear of people saying that there's a need for
8 this. And so when you look at it in a
9 philosophical sense, I guess we would say that
10 this might fit into some sort of a NIMB issue:
11 not in my backyard. And if everyone says that,
12 then we wouldn't have these sorts of things.

13 And I guess that's appropriate
14 for this situation. I mean I guess that's what
15 we're saying, is that there is no bigger public
16 interest or public concern that these facilities
17 would serve.

18 And so, you know, as I said, I
19 will be submitting written testimony, but we would
20 ask you to look at this issue in that
21 philosophical realm.

22 So thank you and have a good
23 evening.

24 (Applause.)

25 MR. NOVAK: State representative

1 Kathleen Law.

2 REPRESENTATIVE LAW: Hello.

3 Thank you very much. I'm State Representative
4 Kathleen Law, and I represent approximately 93,000
5 people in the 23rd District.

6 Somehow this feels like deja-vu
7 all over again. I think this is about seven years
8 that I've been standing up in support of Ray
9 Basham, when he was a member of the House of
10 Representatives and now as Senator, in opposition
11 to the EDS well.

12 I stand alongside Hoon-Yung
13 Hopgood and the other representatives of the
14 Downriver region who will be submitting written
15 comments in opposition. We represent probably
16 close to 400,000 people and businesses and
17 communities who will not be well served by the
18 continuation of an operating permit for a well
19 which will only bring disaster and degradation of
20 our environment and our quality of life and danger
21 and threats that we have not yet envisioned in
22 this area of the country.

23 This is the Great Lakes state.
24 To think that one can inject anything into
25 anywhere in the Great Lakes state and have it

1 retain its integrity for 10,000 years is
2 preposterous. I challenge the science.

3 We will meet again, submitting
4 written comments.

5 Again, strong opposition from
6 the 23rd District and all of the 93,000 of my
7 friends and neighbors.

8 Thank you very much for holding
9 this hearing. Good evening.

10 (Applause.)

11 MR. NOVAK: The deputy director
12 for legislative and environmental affairs for
13 Michigan Governor Granholm's Southeast Michigan
14 office.

15 Spell your name, please.

16 MR. ARREGUIN: It's a hard one.

17 Good evening. First name Larry,
18 last name Arreguin, A-r-r-e-g-u-i-n.

19 I'd like to place into the
20 official record Governor Granholm's March 12, 2004
21 letter to President Bush expressing Michigan's
22 concern regarding EPA's premature action granting
23 the exemption of the land disposal restrictions.

24 We continue to believe that the
25 EPA should not proceed with renewed operating

1 permits for the deep well and integrate provisions
2 of the exemption until all pending legal actions
3 are resolved. The events and transactions that
4 have transpired in the past have left the
5 community in the most unfortunate posture as host
6 to a commercial hazardous waste receiving and
7 disposal facility.

8 We urge the EPA to exercise
9 upmost discretion regarding this project so as not
10 to undermine the health, safety and vitality of
11 this community.

12 And I'd like to read the letter
13 that was sent to the President on March 12, 2004:

14 Dear Mr. President: I'm
15 writing today to ask that
16 you direct the United States
17 Environmental Protection
18 Agency to reject a request
19 for a waiver of the land
20 disposal restriction for
21 Environmental Disposal
22 Systems from Birmingham,
23 Michigan. EDS has proposed
24 placing a hazardous waste
25 deep injection well in

1 Romulus, Michigan. This
2 well will be the first of
3 its kind in Michigan. The
4 well will be drilled in the
5 Mount Simon subsurface
6 formation. Liquid hazardous
7 waste such as acids,
8 solvents, and leachates
9 would be injected under
10 pressure into the formation.
11 On March 4, 2004, in
12 testifying before the House
13 Appropriations Subcommittee
14 on VA, HUD and independent
15 agencies, Administrator Mike
16 Levitt committed to making a
17 decision on the EDS waiver
18 by mid-March. We understand
19 the EPA will likely act on
20 this waiver Tuesday, March
21 16th. There are a number of
22 reasons why this waiver
23 should not be issued.
24 Sunoco Partners Marketing
25 and Terminals LP may be

1 operating brine injection
2 and extraction wells in the
3 same subsurface formations
4 as EDS, which will likely
5 result in
6 cross-contamination of
7 Sunoco's wells with
8 hazardous waste from EDS.
9 Sunoco and EDS have been
10 locked in a lawsuit over the
11 use of the formation since
12 EPA has indicated that the
13 uses are compatible. For
14 EPA to now go forward and
15 grant a waiver would be a
16 direct contradiction to its
17 own previous analysis of
18 this matter. I'm asking you
19 to direct EPA to reject the
20 EDS waiver since these uses
21 are considered compatible
22 based on the prior
23 determination. The issue of
24 the proposed EDS deep
25 injection well has stirred

1 significant concern and
2 outrage in this state. I
3 want to make it clear that
4 under no circumstance do we
5 want Michigan to be a
6 regional, national, or
7 international repository for
8 commercial hazardous waste.
9 EPA has a clear authority to
10 make a decision with regard
11 to the appropriateness of
12 this activity while the
13 state does not. The federal
14 government has a
15 responsibility to make a
16 decision that will protect
17 the citizens of Michigan.
18 The affected communities are
19 unified in their opposition
20 to EDS's drilling as well
21 and have the support of
22 business groups, realtors,
23 and most elected officials.
24 Thank you for your
25 consideration in this

1 matter.

2 Signed: Governor Jennifer M.
3 Granholm.

4 (Applause.)

5 MR. NOVAK: Barbara McCallahan
6 for Senator Debbie Stabenow.

7 MS. McCALLAHAN: Good evening.
8 Barbara McCallahan, Southeast Michigan regional
9 manager for US Senator Debbie Stabenow.

10 And I want to thank you for
11 coming and listening to the comments of the
12 elected officials but, most importantly, what you
13 are going to hear from the impressive group of
14 folks behind me.

15 When Senator Stabenow was first
16 elected to the US Senate in 2000 -- she assumed
17 her position in 2001 -- one of the very first
18 official letters written by Senator Stabenow was
19 to then Governor John Engler urging him strongly
20 not to overturn the MDEQ commission who had found
21 that they could not recommend that these wells
22 operate. That letter was not responded to.

23 And as time went on we, with
24 great pleasure, continued to work with Senator Ray
25 Basham and Congressman John Dingell under their

1 leadership. And now we have a new governor, a new
2 director of MDEQ, and we ask that they be given
3 the opportunity to carry out the wishes of the
4 Michigan people.

5 I will add just one more
6 comment, and that is concerning Administrator
7 Levitt, who you know, but many people here may
8 not, is fairly new to the position. When
9 Administrator Levitt was being considered for the
10 position Senator Stabenow met with him. In that
11 meeting she presented him with 160,000 signatures
12 of Michigan residents who oppose Canadian garbage
13 being brought into Michigan. Considering the
14 percentage of hazardous waste that will be brought
15 in from Canada, I ask that you also consider those
16 160,000 people who cannot be here tonight but
17 oppose that concept.

18 Thank you.

19 (Applause.)

20 MR. NOVAK: Mayor Lambert for
21 the City of Romulus.

22 MAYOR LAMBERT: Good evening.
23 My name is Alan Lambert. It's L-a-m-b-e-r-t. I
24 have a few things I want to say.

25 I just want to state that I've

1 been opposed to this hazardous waste well from the
2 very beginning and am still opposed today. It's
3 very important to point out the need for this type
4 of facility has never been proven.

5 We continue to have concerns
6 about trucks carrying hazardous waste through our
7 community to get to the site. 26 truckloads a day
8 is a lot of waste passing through our area.

9 The site is located near the
10 airport, and any type of accident or spill could
11 affect thousands of people in Romulus, Taylor,
12 Wayne County, and all those traveling to the
13 airport.

14 I was a police officer for
15 several years, and I witnessed several accidents.
16 You know, if you say it's not likely one of these
17 trucks is going to have an accident, well, the
18 city of Romulus alone each year has over 2,000
19 accidents in their community. So it's very likely
20 an accident is going to happen.

21 In addition, since this long
22 battle began technology has provided us with
23 cheaper and actually safer ways to dispose of
24 toxic waste.

25 So the city officials do not

1 want this. The residents of Romulus and Taylor
2 don't want it. Therefore, I urge you to deny
3 these permits. Please, there is not a use for
4 this.

5 I want to thank our residents,
6 Taylor residents. I want to thank all our elected
7 officials that came out tonight. They've attended
8 meeting after meeting for over more than ten years
9 and they have not wavered. I thank them very much
10 and I thank you for listening.

11 (Applause.)

12 MR. NOVAK: Mayor Pitoniak for
13 the City of Taylor.

14 MR. PITONIAK: Good evening. My
15 name is Greg Pitoniak. That's P-i-t-o-n-i-a-k.
16 I'm the mayor for the city of Taylor, the city in
17 which EDS trucks will pass over, the city which
18 will surely be the recipient of EDS waste as it
19 migrates from the site, the city whose residents
20 and resources will be harmed if there is a
21 catastrophic failure of the safety systems at the
22 EDS well.

23 For over 12 years I have been
24 arguing against this well as a horrible idea for
25 the state of Michigan, not just for this location.

1 As a state legislator I first attempted to outlaw
2 this type of commercial well. Although this did
3 not pass, I was successful in making the
4 state, during the construction permit process,
5 look at not only the actual well itself but the
6 above-ground impacts.

7 That review culminated in having
8 a state-appointed board recommend that this well
9 not be built in this community. The risks to the
10 community were too great and the benefits to the
11 state too small.

12 Unfortunately, the prior MDEQ
13 administration overruled that body and issued a
14 construction permit anyway. Incidentally, we are
15 still awaiting the Michigan Supreme Court's
16 decision as to whether they will hear our appeal
17 and revoke that permit.

18 Specifically with respect to the
19 hearing on whether to reissue EDS's underground
20 injection control permits, I wish to make the
21 following objections:

22 Today all federal review of this
23 project has overlooked how the well will adversely
24 affect the community and whether the well is even
25 needed. A great deal of evidence on both points

1 was submitted to the State, but the US EPA never
2 evaluated these issues.

3 Secondly, the UIC permit appears
4 to try to incorporate the conditions contained in
5 the land ban exemption permit. It would also
6 include revocation of EDS's UIC permit if Sun
7 Pipeline drills its extraction well. The land ban
8 exemption permit clearly acknowledges that both
9 uses cannot coexist. Due to this fact alone, no
10 additional UIC permits should be issued to EDS.

11 I understand that Sun Pipeline
12 is appealing the Ingham County Circuit Court
13 decision to revoke its extraction permit and that
14 Sun has filed an appeal to the 6th Circuit Court
15 objecting to the land ban exemption permit.

16 In a related vein, conditions
17 have materially changed since 1998 when EDS
18 originally obtained its UIC permits. Since then
19 Sun has vigorously sought brine extraction
20 permits. All UIC calculations must assume the
21 existence of Sun's operations.

22 The burden of preventing
23 commingling for migration of hazardous substances
24 must be on EDS since their use is not only
25 ultrahazardous but is permanently destroying the

1 subsurface strata and natural resources for all
2 who follow. The burden should not be on the
3 communities or on Sun.

4 EDS, either intentionally or
5 unintentionally, let their UIC permits lapse for
6 over 18 months. EDS no longer has any entitlement
7 to these permits. They should have been forced to
8 request the extension prior to the permit
9 expiration.

10 All new conditions and changes
11 in the area, including Sun Pipeline's potential
12 rights, should now take precedence. Sun's
13 proposed use and their intentions on vigorously
14 protecting their property rights was well known
15 before this current permit request and, thus,
16 should be second to Sun's rights.

17 We have been told since the
18 beginning that there are no risks of earthquakes
19 in this area. Yes, I remember in the late 1980's
20 feeling a tremor from a quake, and just yesterday
21 southwestern Michigan felt the effects of an
22 earthquake in Illinois. Quakes do occur. Even
23 distant quakes can produce effects hundreds of
24 miles away. Has your review measured what might
25 happen to the well if an earthquake does occur,

1 rather than just dismissing the idea that the
2 possibility even exists?

3 In summary, the EPA should deny
4 or delay issuing these new permits to EDS until,
5 one, the state Supreme Court decides the
6 Taylor/Romulus appeal of the issuance of the state
7 construction permit; two, Sun Pipeline decides
8 that it's no longer interested in using an
9 environmentally friendly use of the formation;
10 and, three, the above-ground concerns of this
11 activity are reviewed by the EPA.

12 After considering these issues
13 you can compellingly conclude that the risks far
14 outweigh the benefits of the unnecessary
15 commercial hazardous waste well.

16 Thank you.

17 (Applause.)

18 MR. NOVAK: Debbie Romak,
19 Romulus city council.

20 MS. ROMAK: Last name spelled
21 R-o-m-a-k.

22 First I'd like to thank the
23 citizens who have never given up. They have
24 attended hundreds and hundreds of these hearings
25 and meetings, and I'd like to thank them for

1 attending.

2 The mere issuance of any EPA
3 permit to EDS on the premise of science and only
4 science is truly an injustice, which, once again,
5 confirms the EPA permitting process does not allow
6 for public participation or input by design and
7 statute. And I know you read this whole thing and
8 it looks good on paper, but it didn't happen. It
9 did not happen.

10 According to the Webster
11 dictionary, science: Knowledge of natural
12 occurrences gained by observation, experiment, and
13 induction.

14 The EPA's actions have forced
15 the citizens of Romulus and Taylor to become
16 participants in an experiment against our will.
17 The decision to issue will force us to live our
18 lives on a premise of an unproven science, placing
19 each of us at unacceptable risk.

20 It is time for Congress to act
21 before others fall victim to the injustice. The
22 EPA permitting process must be mandated to look
23 beyond the science and include the real issues
24 that face the general public before issuance and a
25 placement of a facility.

1 The EPA had ample opportunity to
2 protect us and chose not to. Will you now find
3 comfort in protecting us after the fact, perhaps
4 when an accident or a spill occurs, because with
5 certainty it will happen; we just don't know when.

6 Will you feel you've done your
7 job when our community is saturated by men in
8 protective suits trying to figure out how much we
9 were exposed to and at what levels, testing the
10 air we breathe?

11 Will you send us dollars to
12 compensate us for evacuation costs and needed
13 health studies?

14 Has anyone in the EPA given any
15 thought on how you will protect us once the
16 facility becomes operational?

17 Because we're just going through
18 the motions here. We all know you're going to
19 issue.

20 Our concerns are real, but not
21 once were they part of the EPA permitting process
22 and virtually had no impact on the issuance. Only
23 the science.

24 The citizens need the EPA to
25 protect them now, not later. You have forced us

1 to become unwilling participants in the
2 Environmental Protection Agency's scientific
3 experiment.

4 (Applause.)

5 MR. NOVAK: Chuck Miller,
6 Romulus city council.

7 MR. MILLER: Good evening.
8 You'll find that my comments are not quite as kind
9 as my learned colleagues.

10 I want to thank the citizens of
11 the city of Romulus for their continual support in
12 the efforts that we've put forth here.

13 Many of the faces I see here
14 tonight are familiar faces, faces of concerned
15 people of many walks of life, average citizens,
16 politicians, environmentalists, highly educated
17 and average educated alike. Those in opposition
18 cover the whole spectrum of these positions.
19 They're brought here because of the opposition to
20 this dangerous and highly controversial project.

21 Twelve years ago, having come
22 and gone since, we ban together to try to make
23 those who have the power and the ability to stop
24 this environmental nightmare from happening. I
25 personally believe after my ten years' involvement

1 that nothing we say or do will make any difference
2 on the outcome.

3 This debacle called a deep
4 injection well has been a political battle from
5 the start by movers and shakers, former governors,
6 retired and rehired EPA and DEQ employees, the
7 Detroit policemen and firemen retirement fund,
8 managers, wealthy investors who live in most
9 places other than Romulus and they're living in
10 posh lifestyles. Not because this is the only way
11 of disposing of this toxic soup, not because
12 there's a need for this facility, but because of
13 the unrestrained greed of those who have put money
14 over the welfare of the environment and the health
15 of our citizens.

16 This is particularly true and
17 substantiated by the fact many DEQ and EPA
18 officials take early retirement and go to work for
19 companies that hire them to use their knowledge to
20 get around the system's flaws and to gain success
21 from projects like this.

22 I'm thoroughly convinced that
23 nothing we say or nothing we do will convince this
24 department of the federal government to come to
25 its senses. I firmly believe that the name of the

1 Environmental Protection Agency should be changed
2 to the Environmental Negotiation Agency because
3 you no longer are in the business of protecting
4 this or any other environment. Your department is
5 filled with sellout negotiators willing to violate
6 their own mandate by falling victim to
7 power-wielding politicians and rich investors'
8 hunger for even greater wealth at the cost and the
9 possible loss of life and ruining of resources.

10 The Scriptures say fear not for
11 tomorrow for tomorrow will take care of itself.
12 Yet you visionaries are looking 10,000 years into
13 the future, a future that would be crowned by the
14 foolishness of men, not unlike yourself, who have
15 put aside common sense for science, the same
16 science that gave us atomic agency; thalidomide;
17 Love Canal; Victory, Ohio; Winona, Texas; to
18 mention just a few.

19 Now the crux of the matter. You
20 have the opportunity to do the right thing, but
21 I'm convinced you won't. You see, science is your
22 calling, and common sense has no place in science.
23 Thank you.

24 (Applause.)

25 MR. NOVAK: Jason Maciejewski on

1 behalf of the Wayne County County Executive.

2 Again, I'm reminding folks
3 please spell your name.

4 MR. MACIEJEWSKI: Good evening.
5 First name Jason, J-a-s-o-n, Maciejewski,
6 M-a-c-i-e-j-e-w-s-k-i, governmental affairs
7 liaison for Wayne County Executive Robert Ficano.

8 I submitted a written comment
9 when I came in this evening at the front table
10 from Wayne County Executive Ficano. However, I
11 would be like to read a few excerpts from that
12 statement.

13 On behalf of the two and a half
14 million residents of Wayne County I am writing to
15 express my opposition to the proposed deep
16 injection well facility in the city of Romulus.

17 I have several concerns
18 regarding this proposed facility, most notable the
19 fact that it is to be located in such a highly
20 urbanized area. Over a quarter million people
21 reside in the city of Romulus and the communities
22 bordering the city.

23 EDS predicts that up to 26
24 truckloads a day of hazardous waste will be
25 traveling to the facility over freeways and

1 surface streets, most of which directly impact
2 neighborhoods in the area.

3 I am particularly concerned over
4 the potential adverse impact that just one vehicle
5 could have on our regional sewer infrastructure
6 and the men and women who are responsible for that
7 system.

8 The spilled runoff could go to
9 the storm water collection system. In the event a
10 spill occurs on the EDS site, waste could get into
11 the Godfrey drain, an open storm drain under the
12 jurisdiction of the Wayne County Drain
13 Commissioner.

14 The drain is a tributary to
15 Ecorse Creek which empties into the Detroit River
16 after traveling through several communities.
17 Miles of natural watercourses could potentially be
18 contaminated, many of which go through residential
19 areas.

20 As a spill knows no boundaries,
21 the waste could also could leak into the sanitary
22 sewer system. This may cause harm to the
23 municipal sewer lines, Wayne County interceptors
24 and sewer meters that are integral components of
25 the flow monitoring system.

1 The adverse impact on public
2 health and the safety of County employees and
3 agents who perform calibration and maintenance of
4 these meters should also be a major concern.

5 It is my opinion the proposed
6 EDS deep well project could endanger the health
7 and welfare of residents in the surrounding area
8 and have serious, long-term social, environmental
9 and economic impacts for all Wayne County
10 residents.

11 I urge the EPA to deny any
12 future use of the proposed deep well facility in
13 Romulus. It is unsafe for our citizens, harmful
14 to the environment, and simply not acceptable for
15 Wayne County.

16 Thank you.

17 (Applause.)

18 MR. NOVAK: Mike Reid
19 representing the second vice president of Dearborn
20 Heights Democrats, or he is the second vice
21 president.

22 MR. REID: Is. Is. I am also
23 the sergeant at arms for the 15th Congressional
24 District. I love Congressman Dingell.

25 Okay, first off -- oh, Mike

1 Reid, R-e-i-d.

2 First off, does not the EPA, the
3 EDS, and every other company that wants to put in
4 here understand the word n-o, no, not in my
5 backyard, NIMB. You know, this has been brought
6 up. How many times do people of these communities
7 have to come here and say we don't want this.

8 Then we read in the paper that
9 Sun Pipeline Company wants to put in a brine
10 injection well. Great, because they're going to
11 pump in, they're going to pump out, because it's
12 going to be for underground storage of that. But
13 EDS keeps stopping them because EDS is afraid that
14 if Sun Pipeline Company gets their permit to put
15 in the ground, then they can't, because if Sun
16 Pipeline, in doing their brine extraction, finds
17 any contaminant coming over, then they've got to
18 shut down.

19 Now, why is EDS so afraid of a
20 brine extraction well being right next door to
21 them? Because they know from other injection
22 wells that they are going to migrate, and they
23 will migrate.

24 Now, that's one question, why
25 does EDS.

1 You know, these are some of the
2 things. Talking with people from my area and
3 talking with union reps and union leaders and
4 people that are involved with the UAW, AFL-CIO,
5 Teamsters, there's truck drivers out there that
6 don't -- I know one guy that gave up a beautiful
7 \$60,000-plus job a year because he was not going
8 to haul anymore toxic waste, because his life was
9 not worth it. Just working around the stuff is
10 hazardous enough. Now you want to give the
11 go-ahead to putting this stuff in the ground.

12 I mean is there anybody here
13 from EDS or are they all like -- I'm going to say
14 it; I'm going to be very blunt. Are they afraid
15 of us people down here? Is there anybody here
16 that represents EDS tonight? Anybody? Raise your
17 hand.

18 Well, sir, I'd like you to come
19 and live in my neighborhood, because I'll tell you
20 I live in a really great neighborhood, and we'll
21 tell everybody that you represent the people that
22 want to put stuff in. Guarantee you, you'll want
23 to beat feet out of town. And it's a good thing I
24 don't know where you live because I'd love to just
25 drive by your house -- no, I'm not done talking,

1 sweetheart.

2 Now, the other thing is, why do
3 we have to have this? We have said this for over
4 ten years: Not here. Not anywhere. Hazardous
5 injection wells aren't going to work. And with
6 all the companies around here, they're
7 remanufacturing. They've cut down on their
8 emissions.

9 Not once have they said. So
10 everybody speculates it's coming out of Canada
11 because Canada loves to just truck everything
12 here. Why? Because we love money over our
13 health.

14 Well, I'm going to tell you
15 something. My health is worth a lot more than all
16 the money in the world. My sister's health, my
17 father's health, my grandmother's health, all my
18 relatives' health is worth more than all the money
19 that's ever been minted.

20 So I'm just saying I stand, and
21 other members of the Democratic Party, and proud
22 friends of mine who are Republicans are opposed to
23 this. This is not a political thing. This is a
24 personal, a people's issue.

25 And I, for one, come to every

1 one of these, and every time I see a few less
2 chairs, but I hope that the mail service is
3 getting a backache hauling letters in to you
4 people. Because it just does not float here.

5 So all I'm saying is, keep your
6 public hearings coming because I'll keep coming
7 back and I'll keep saying the same thing: No.
8 And if it's going to take Green Peace showing up
9 here and doing something about it, I'll invite
10 them myself personally.

11 Thank you.

12 (Applause.)

13 MR. NOVAK: Do we have any other
14 elected or appointed officials that wish to speak?

15 Then we'll get with the general
16 public comments with R. J. Thomas, number one.

17 AUDIENCE MEMBER: He left.

18 MR. NOVAK: He's gone?

19 Number two, Alfred Brock.

20 MR. BROCK: Will Mr. Thomas be
21 returning in the event that I go over? I think I
22 might be 4.5 minutes.

23 My name is Alfred Brock,
24 B-r-o-c-k. I'm a citizen of Canton, Michigan.

25 As a direct result of the

1 operation of the high pressure injection waste
2 well operated by LTV Steel in Illinois, an
3 earthquake was recorded on 6-28-2004. The
4 earthquake is directly attributable to the well
5 operated by LTV Steel IGF and approved for
6 operation by the EPA Region 5 and the Illinois
7 EPA. The injection strata is the Mount Simon
8 sandstone.

9 The USGS had reports of the
10 earthquake being felt in Michigan at Buchanan,
11 Berrien Springs, Benton Harbor, Saint Joseph, and
12 Niles.

13 The quake was felt at three
14 nuclear power plants in Illinois: Quad Cities,
15 LaSalle, and Dresden.

16 These wells in Romulus have been
17 plagued by bureaucratic bungling, bad science, and
18 a lack of oversight by the Detroit police and
19 firefighter pension fund.

20 The EPA has again changed the
21 requirements. They have softened them. The
22 systems they had permitted in the past are not the
23 systems that exist at this location today. The
24 reduced injection rate is an admission that they
25 did not correctly study the problem and overlooked

1 common issues, including, but not limited to,
2 fissuring, plugging, and non-Darcy flow.

3 EDS apparently went with the
4 cheapest materials that they could get their hands
5 on, and in the event of a catastrophic failure or
6 at the wellhead it will cause problems. The EPA
7 has seen fit to correct this item by loosening
8 their permitting standards and allowing untrained
9 people to approve it.

10 Employees of EDS and the EPA
11 have not had recognized training in working with
12 the very chemicals that they are approving for
13 injection.

14 They have only a cursory
15 knowledge of the transport method and rely on each
16 other for most of their information. Citizens
17 have been shut out.

18 A number of years ago there were
19 TV commercials that showed our lakes and streams
20 heavily polluted with solid and liquid wastes.
21 Then we saw an Indian's face with a single tear
22 rolling down his cheek. His name was Iron Eyes
23 Cody and he was a Cherokee Indian.

24 These days we look around and
25 much of what we saw in those commercials is gone.

1 The waterways look clean. But this is because the
2 underground injection control program has
3 mushroomed.

4 Of the 27 Class 1 wells, the EPA
5 states that in Michigan 19 of them are
6 nonhazardous. If, however, you exposed yourself
7 to the materials injected into the nonhazardous
8 wells you would get sick, die, or have trouble
9 procreating.

10 The Agency is not acting like a
11 business; it is acting as a business. It has
12 settled into a process that makes money for itself
13 and allows it to continue into the future as a
14 profitable concern. It has lost its purpose.

15 We have had to bring to it
16 information about new technologies that make
17 injection wells a thing of the past. This is not
18 a good thing to do in a residential area. It is
19 not good to do anywhere.

20 The EPA, DEQ and EDS have no
21 single and certainly no coordinated plan to
22 address a catastrophic loss of power at the well.
23 They cannot ensure that the backflow does not
24 flood out onto the series of kettles they have
25 arranged around the pump room. The flood area was

1 built to contain a spill from a truck. There has
2 been nothing done to address a spill either
3 through blowout or backflow or failure and
4 backflow.

5 8 percent of the nearly 400 Type
6 1 wells have experienced failure during the last
7 20 years. This is a cause for concern.

8 One last thing.

9 The EPA Region 5 has an
10 interesting character and his name is Thomas V.
11 Skinner. Skinner was recently kicked up the
12 command ladder and is now in charge of
13 enforcement.

14 In Ohio there is a superfund
15 site known as the Skinner Superfund Site. Up
16 until Mr. Skinner made his appearance at Region 5
17 it seemed like the whole site would be dug up,
18 stream treatment applied to the soil, and any
19 offending chemicals burned in a gargantuan
20 incinerator.

21 After some wheeling and dealing
22 the Skinner Superfund Remediation was finally
23 accomplished by piling dirt on top of it and
24 covering it with a plastic tarp held down with
25 rocks.

1 Mr. Thomas V. Skinner is the
2 village president of Lake Bluff, Illinois. This
3 community has only 5,100 inhabitants but has
4 unique associations with large waste handlers like
5 Onyx. Skinner was also the director of the
6 Illinois state EPA.

7 The Solid Waste Association of
8 North America is an association of professionals
9 engaged in the solid waste industry. SWANA's
10 executive director and CEO is a man by the name of
11 John Skinner.

12 Those are my spoken remarks.
13 These are my written remarks.

14 (Applause.)

15 MR. NOVAK: Dean Eisha, number
16 four. Did I say that right? E.i.s.h.a or Deisha?

17 AUDIENCE MEMBER: He just left.

18 MR. NOVAK: Stu Vining.

19 MR. VINING: My name is Stewart
20 Vining, S.t.e.w.a.r.t, last name Vining,
21 V.i.n.i.n.g.

22 Deep well injection could best
23 be described as the dinosaur of hazardous waste
24 management techniques. It's a management
25 technique that's best left to Saturday morning

1 cartoons. I can see a facility like this being
2 run by Wiley Coyote and The Roadrunner. It's the
3 most ridiculous way of managing hazardous waste.

4 Think about it reasonably. You
5 dig a very expensive hole in the ground, a very
6 deep hole, and then you pour toxic waste down the
7 hole and expect it to stay in the hole for
8 thousands of years.

9 This is a waste management
10 technique that needs to be ended. It is a
11 dinosaur that has no place in modern waste
12 management.

13 I'm a science and biology
14 instructor at Henry Ford Community College, and in
15 my previous life I worked for two hazardous waste
16 management companies.

17 I'll be submitting a detailed
18 criticism of many things in the permit, including
19 a very flawed waste analysis plan. As submitted
20 in the permit, this waste analysis plan gives far
21 too much freedom to the facility, if this permit
22 is granted. And I would imagine it will be.

23 It definitely needs to be
24 changed. However, it shouldn't be. This
25 technique, this facility is not needed.

1 Let's see. As I've listened to
2 every public official come up here, every one has
3 been in opposition to it, one after another. I've
4 been coming to these meetings for ten years and
5 the opposition has been consistent.

6 Thank you very much. Good
7 night.

8 (Applause.)

9 MR. NOVAK: Brad Van Guilder.

10 MR. VAN GUILDER: Good evening.

11 My name is Brad Van Guilder. The last name is
12 spelled V, as in Victor, a.n, space,
13 G.u.i.l.d.e.r.

14 I am here wearing basically,
15 well, at least three hats tonight. I work as the
16 Wayne County community organizer for the Ecology
17 Center, whose offices are based in Ann Arbor,
18 where we deal with a lot of toxic issues across
19 southeast Michigan. So I'm speaking on behalf of
20 our more than 4,000 members and supporters.

21 I am also the chair of UAW Local
22 174's environmental committee, and so I'm here
23 speaking on behalf of the families of our more
24 than 8,000 members. And our local is located on
25 Van Born Road in Romulus.

1 I'm also speaking on behalf of
2 the Don't Trash Michigan campaign which is
3 endorsed by roughly 30 organizations in Michigan
4 with a combined membership of over 200,000 people.

5 The actions of the EPA for over
6 more than a decade have seriously strained the
7 Agency's credibility on this particular facility.

8 Publicly, for example, from your
9 web site at the Region 5, you state that EPA is
10 committed to reducing the presence of the most
11 persistent bioaccumulative and toxic chemicals,
12 PBTs, and industrial hazardous wastes by 25
13 percent by the year 2000 and 50 percent by the
14 year 2005.

15 It's also important that these
16 priority chemicals, which I'll get to in a moment,
17 are not transferred from one environmental media
18 to another, for example, from the air to water
19 and, I might also add, from soil to water as in
20 groundwater.

21 And why is waste minimization
22 important? Waste minimization is important
23 because it helps protect the environment and it
24 makes good business sense. In fact, businesses
25 can simultaneously manage both business and

1 environmental objectives by focusing on waste
2 minimization.

3 For example, companies have
4 discovered that waste minimization saves money
5 through avoided disposal and raw material purchase
6 costs, reduces regulatory burdens and compliance
7 costs, builds better community relations -- we
8 could use a lot of that -- minimizes short- and
9 long-term liability, creates safer working
10 conditions for employees, protects human health
11 and the environment, demonstrates environmental
12 leadership, improves competitiveness through
13 greater efficiencies and decreased overhead costs.

14 All hazardous waste generators
15 should practice waste minimization because it
16 makes good business sense.

17 The waste minimization priority
18 chemicals:

19 The EPA's national program
20 focuses on reducing or eliminating the generation
21 of hazardous wastes containing any of the 30
22 priority chemicals. This set of chemicals that
23 EPA claims to target in order to reduce the wastes
24 that contain these chemicals is an important
25 indicator of our ability to reduce the generation

1 of hazardous waste.

2 The generation of waste
3 containing 17 of these chemicals -- and some of
4 them are even whole classes of chemicals -- has
5 been tracked since 1991.

6 Between 1991 and 2000 the
7 generation of hazardous wastes containing these
8 materials has climbed by 42 percent, according to
9 the EPA's waste minimization trends report, July,
10 2003.

11 From 1998 to 2000 that has
12 essentially leveled off, but in EPA Region 5 it's
13 declined by 3.1 percent. But Michigan had the
14 greatest decline of any state in EPA Region 5.
15 Between those two years the generation of these
16 wastes declined by 45.1 percent in the state of
17 Michigan.

18 The two states that have
19 generated the most hazardous waste containing
20 these chemicals are Louisiana, number two, and
21 Texas, number 1. Texas generated 45 times the
22 amount of these wastes as Michigan. Please do not
23 transform Michigan into Texas.

24 The permit for EDS as well gives
25 a long list of codes for waste that will be

1 flushed into porous rock in the cities of Romulus
2 and Taylor. The codes correspond with industrial
3 processes, and there is not a one-to-one
4 correspondence between these codes and the
5 specific chemicals of these 30 lists.

6 However, nearly all, if not all
7 of the 30 priority chemicals are represented in
8 the sterile codes.

9 And one of my questions is, does
10 the EPA act to protect coded industrial profits or
11 the health and well being of the people of
12 Michigan?

13 The only rail lines of the EDS
14 site either go through the downtown of Milan and
15 Belleville from the west or through the switching
16 yard in Melvindale. As of today, those trains
17 arrive along rail lines along the Detroit River
18 and Lake Erie or pass through the congestion of
19 junction yard, rail yard in southwest Detroit.

20 I-94 has been designated by the
21 Michigan Department of Transportation as a heavily
22 congested truck route, and drivers will simply
23 find whatever is the fastest route to get to where
24 they are going. They are not going to adhere to
25 any rules in terms of truck routes, and that has

1 been seen time and time again.

2 So, please, I strenuously, on
3 behalf of those three hats, object to this permit.

4 Thank you.

5 (Applause.)

6 MR. NOVAK: John Wagner? Number
7 9, John Wagner?

8 Enid Brown?

9 MS. BROWN: Enid Brown, E.n.i.d.,
10 Brown.

11 I have two questions and one
12 comment.

13 First, I wonder if you could
14 provide a financial -- it doesn't even have to be
15 a spreadsheet, but simple listing of taxpayer
16 costs for this.

17 We sort of forgot that EDS
18 really isn't investing the money; it's taxpayers.
19 And that has been calculated in some reports as
20 \$38 million plus \$17 million in interest.

21 So in that listing of taxpayer
22 expenses I'd like to see pension costs, the cost
23 for the DEQ truck inspectors. DEQ has inspectors
24 at the border, for example, to see and inspect
25 trucks.

1 I believe we pay DEQ employees,
2 don't we?

3 Border inspectors, they're paid,
4 salary people. We have hired more because of the
5 border issues.

6 We have prosecution costs,
7 investigations. I know Milton Scales at DEQ just
8 worked on a major case. Prosecutors, the US
9 attorneys, investigators, what are those taxpayer
10 costs?

11 The costs in monitoring,
12 monitoring monthly, annually, quarterly, whatever
13 those reports are to follow up from the
14 self-reporting.

15 The spill cleanup costs. I know
16 in previous testimonies there's been an assumption
17 that sometime somewhere, when you least expect it,
18 Candid Camera and spills. What are the taxpayer
19 costs?

20 Then I'd like to see, in the
21 other column, what individual investments people
22 associated with EDS have made. Not the various
23 corporations or companies, but individuals.

24 After you do that, question two.
25 And this refers to the permit, the re-permitting

1 application that was in the library. Page A 1 of
2 7, which is attachment A, and I'll just read it.

3 Summary of operating,
4 monitoring and reporting
5 requirements.

6 The second to the last item
7 says:

8 The physical characteristics
9 of injected fluids shall be
10 reported, monitored,
11 frequency minimum monthly;
12 minimum reporting frequency
13 monthly.

14 Then there are three asterisks
15 down at the bottom:

16 As specified in the approved
17 waste analysis plan...

18 Just referenced.
19 ...found in the permit file
20 for this permit, monitoring
21 frequency could be monthly,
22 quarterly or annually.

23 As I read that, that means the
24 minimum monthly could be annually. So if the
25 physical characteristics of injected fluids are

1 only monitored annually, what risks are there
2 during that whole year?

3 Okay, that's question two.

4 Last comment: Following up on
5 the comment from Governor Granholm requesting that
6 you wait until legal issues are over, there are
7 two legal items that I believe your due diligence
8 attorneys wouldn't pass muster for.

9 One is that there is an OIG
10 issue that has not been resolved, no finding by
11 the Inspector General, that is, the Office of the
12 Inspector General.

13 And, two, Asa Hutchinson is our
14 undersecretary of the Department of Homeland
15 Security responsible for border and security
16 protection. If a decision is made by EPA without
17 his concurrence, participation, and okay, I
18 believe you are usurping, legally usurping his
19 authority as granted by law.

20 I'm not a lawyer. I don't know.
21 But I personally heard Asa Hutchinson say that,
22 that it is his responsibility and authority. So I
23 would say talk with your due diligence attorneys.
24 You might have to wait until that is clarified.

25 Thank you very much, and I will

1 be getting an answer.

2 (Applause.)

3 MR. NOVAK: Number 12, Nick

4 Rabchenia?

5 MR. RABCHENIA: Good evening.

6 My name is Nick Rabchenia, R.a.b.c.h.e.n.i.a,

7 citizen of Taylor.

8 I'd just like to make an analogy
9 on how precious our water supply is here in the
10 world. If you took all the water in the world,
11 sea water and fresh water, and put them all into a
12 hundred Dixie cups, 95 of them would be salt
13 water. The remaining five Dixie cups would be the
14 only fresh water, two of which are frozen, North
15 Pole and South Pole.

16 This is a limited, unrenewable
17 resource that we must protect at all costs.

18 Thank you.

19 (Applause.)

20 MR. NOVAK: Georgia Wrathell?

21 MR. WRATHELL: George.

22 MR. NOVAK: George?

23 MR. WRATHELL: Yeah, I spell

24 bad.

25 Raquel with a W in front of it.

1 THE REPORTER: State and spell
2 your name, please.

3 MR. WRATHELL: Raquel with a W
4 in front of it, W.r.a.t.h.e.l.l, George.

5 Just a small comment. I'm going
6 to challenge our congressmen, our politicians, and
7 the EPA.

8 I see you're from Chicago,
9 Illinois, drink water out of the Great Lakes,
10 everything like that.

11 We're talking about the trucks
12 and everything coming in in few communities. I'm
13 talking as an American. Since 9/11 we don't know
14 what the hell is going to go on. That would be a
15 spot. The well itself could be very well damaged.
16 We need security. Homeland security should be
17 checked out on this. Has EPA brought up what kind
18 of security would be there? I drive by there and
19 raccoons are there.

20 That's all.

21 I'm just saying as a citizen of
22 the United States I deserve fresh water, and it's
23 up to you as hired politicians and that to stop
24 beating around the bush and give it to me.

25 Thank you.

1 (Applause.)

2 MR. NOVAK: Jack Smiley.

3 MR. SMILEY: Thank you.

4 My name is Jack Smiley,

5 S.m.i.l.e.y.

6 I reside in Detroit and I just

7 want to emphasize that the impacts of this

8 proposal go far beyond these local communities.

9 The EPA should not allow

10 hazardous waste to be pumped into the ground in

11 Romulus. There is simply too much uncertainty

12 regarding the long-term safety of this operation.

13 You probably would not bet your life that you are

14 100 percent correct. Please do not bet ours or

15 that of future generations to come.

16 Without question, if hazardous

17 waste is pumped into the ground it will migrate

18 far beyond the boundaries of the property under

19 which it is pumped. It will contaminate property

20 belonging to others, which is a clear violation of

21 individual property rights.

22 But even more importantly, the

23 hazardous waste has a good chance of eventually

24 contaminating groundwater sources.

25 Millions of gallons of hazardous

1 waste will not remain static. It will have to go
2 somewhere. We cannot predict with certainty where
3 that might be.

4 When dioxane contamination was
5 revealed at Gelman Sciences in Ann Arbor some
6 experts told us that the underground dioxane would
7 not migrate that much. They were wrong. There is
8 now a large dioxane plume under much of Ann Arbor.

9 Some experts are now telling us
10 that the proposed hazardous waste will be safely
11 contained. I believe that they are wrong in this
12 instance as well. If human experience has taught
13 us anything, is that if something can go wrong it
14 probably will.

15 Due to the potentially
16 disastrous consequences, we need to err on the
17 side of caution when it comes to pumping hazardous
18 waste into the ground in this water wonderland we
19 call Michigan.

20 The EPA is called the
21 Environmental Protection Agency for a reason. You
22 should live up to your mandate and not allow this
23 potentially disastrous plan to go forward.

24 This is such a foolish way to
25 deal with hazardous waste that it is almost

1 incomprehensible that this plan is even being
2 considered.

3 Thank you.

4 (Applause.)

5 MR. NOVAK: Do we have anybody
6 else who wishes to make a comment?

7 MS. MACKEY: Sir?

8 MR. NOVAK: Yes, ma'am.

9 MS. MACKEY: I did not fill out
10 a form but, yes, I would like to make a comment.

11 MR. NOVAK: That's all right.

12 MS. MACKEY: Jane Mackey,
13 M.a.c.k.e.y.

14 There was an issue earlier this
15 evening. The PA system didn't work. It was
16 fixed. No one was fearful of it. No one suffered
17 harm because of it.

18 If something goes wrong with
19 this well, then you certainly can't carry that
20 idea through that there will be no harm generated
21 by a Murphy's law situation.

22 Mr. Arreguin spoke earlier today
23 representing the governor. I have a picture of
24 Mr. Arreguin and his son washing a car. The
25 message is don't put soapy water in our water

1 wonderland. Be careful of what you put in it.

2 We're thinking of importing
3 hazardous waste and putting it in our ground?

4 This is a picture of the
5 watershed in which we live. We all live in a
6 watershed. A watershed is all land area that
7 drains into a river system, whether that's above
8 ground or below ground.

9 Use your head. You live in a
10 watershed. Please, deny any expansion or further
11 damage to our environment with the subterranean or
12 use of this storage of hazardous material.

13 Thank you.

14 (Applause.)

15 MR. NOVAK: Anybody else
16 desiring to make a comment?

17 Yes, sir.

18 MR. ROBERTS: My name is Gene
19 Roberts, Toledo, Ohio. R.o.b.e.r.t.s.

20 I'm from Waste Salvage Systems,
21 Incorporated. We have a solution, a new
22 technology for ridding waste from the planet
23 without burying it. Senator Basham knows about
24 it. We talked to him about it.

25 If you'd like to go to the web

1 site, you can go. It's Magnegas, m.a.g.n.e.g.a.s,
2 dot com, and you'll see all the technology that
3 there is for this hazardous waste.

4 Thank you.

5 (Applause.)

6 MR. NOVAK: Any other comments?

7 Yes, sir?

8 MR. BROCK: Can I just finish up
9 what I was saying?

10 MR. NOVAK: You sure can.

11 MR. BROCK: Can I borrow number
12 one -- number two, please?

13 Alfred Brock, B.r.o.c.k, Canton,
14 Michigan.

15 Continuation, page 2:

16 The role of the injection wells
17 in handling the waste stream in the United States
18 has swollen to enormous proportions. There are
19 now nearly 400 high-pressure injection toxic waste
20 wells operating in the United States.

21 In Michigan there are 27 Class 1
22 wells, 1,381 Class 2 wells, 48 Class 3 wells, 1
23 Class 4 well, and 1,816 Class 5 wells.

24 The EPA has stated that there
25 are over 700,000 injection wells operating in the

1 United States. They have stated that it is
2 impossible to inspect and regulate all of these
3 wells.

4 About 90 percent of the liquid
5 waste stream is not properly treated and is
6 handled by injection. If we count all the EPA
7 employees involved in this work, we find that
8 about 100 pension-minded bureaucrats are making
9 life-and-death decisions concerning people they do
10 not know far from their homes. The results of
11 these decisions must never prove to be wrong for
12 the next 10,000 years. These bureaucrats have
13 within their hands the fate of nearly 165 million
14 people.

15 This community and many others
16 facing injection wells have lost confidence in the
17 EPA process because this process suits only
18 itself.

19 The EPA met with representatives
20 of the Michigan Environmental Offices and EDS in
21 secret for more than a year before the local
22 community was informed of their plans. The
23 community was offered cash by EDS of Birmingham
24 and assurances by the EPA that this very dangerous
25 situation wasn't dangerous at all.

1 The local community has since
2 found the truth and more and more things wrong
3 with the logic and science associated with this
4 mess.

5 The EPA and DEQ provide
6 consultation services to EDS while settling up and
7 maintaining an adversarial relationship with the
8 people that they are supposed to be protecting.
9 This has been a pattern wherever an injection well
10 of this type has been located.

11 The EPA has been juggling liquid
12 wastes from several superfund sites and needs to
13 get the material off their books. There are many
14 companies eager to unload their overflow of waste
15 chemicals as soon as possible, such as Safety
16 Kleen with offices close to the well and
17 apparently in trouble with the EPA.

18 Several of the larger landfills
19 and superfund sites in this area that the EPA
20 works with also have need of this well as the
21 material within them produces a waste stream of
22 poisonous liquid and is a source of embarrassment
23 to the EPA.

24 The EPA has no reasonable
25 response for a catastrophic failure at this

1 location. The recent arrest and conviction of a
2 man named Krar in Noonday, Texas should point to
3 the risks associated with continuing to ignore an
4 ever more desperate set of characters intent on
5 harming Americans.

6 Power may be lost at the
7 wellhead either through storm activity, poor
8 performance of the local power utility, or from
9 someone putting a single bullet into a transformer
10 nearby the facility.

11 Thank you.

12 (Applause.)

13 MR. NOVAK: Any other comment?

14 The hearing officer, Charles
15 Elly.

16 MR. ELLY: Thank you.

17 Let the record show that no
18 additional attendees have indicated they wish to
19 comment.

20 Thank you again. If you have
21 written comments please do not hesitate to give
22 them to us.

23 If you -- this is the last call
24 for any speakers. If not, if you have additional
25 written comments please give them to one of the

1 EPA people in the back or you can give them to me.

2 So thank you very much, and I

3 thank you for participating, and have a good

4 evening.

5 (The proceedings were concluded at 8:53 p.m.)

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1 CERTIFICATE OF REPORTER

2

3

4 STATE OF MICHIGAN)

5) SS

6 COUNTY OF WAYNE)

7

8 I HEREBY CERTIFY that I reported
9 stenographically the foregoing proceedings and
10 testimony under oath at the time and place
11 hereinbefore set forth; that thereafter the same
12 was reduced to computer transcription under my
13 supervision; and that this is a full, true,
14 complete and correct transcription of said
15 proceedings.

16

17

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19 Susan M. Patterson

20 CSR 4622

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